# Victoria Legal Aid 2022–23 Quarter Three Report January – March 2023

## Message from the CEO

The [Coroners Court findings](https://www.legalaid.vic.gov.au/coronial-findings-death-veronica-nelson) into the death of First Nations woman Veronica Nelson demonstrates the need for widespread changes to the justice system. Victoria’s criminal justice and child protection systems need urgent reform to address the far-reaching and intergenerational harms caused to First Nations people. Since 2016, our Aboriginal Services program has grown as we work to improve access to justice for First Nation​ communities. In recognition of the importance of this area we are uplifting the name to the First Nations Services directorate, led by a Director of First Nations Services. We are also pleased to be developing our third [Reconciliation Action Plan](https://www.legalaid.vic.gov.au/reconciliation-action-plan), continuing our reconciliation journey and commitment to First Nations justice.

We provide legal assistance for most children involved in the criminal justice system and see how the system over criminalises First Nations children. Many children caught up in the justice system have experienced trauma, mental illness or have been involved in the child protection system. We acknowledge the positive step the Victorian Government has taken with their recent announcement of its plan to raise the age of criminal responsibility to 12 by the end of next year, and to increase it to 14 in 2027. However, we want to [reaffirm our call](https://www.legalaid.vic.gov.au/evidence-supports-age-criminal-responsibility-being-14) that the age of criminal responsibility should be raised to 14 without delay. There is strong evidence that the younger a child is when they first encounter the justice system, the longer their exposure to it is likely to be. [Our experience](https://www.legalaid.vic.gov.au/urgent-short-term-and-transformative-change-required-criminal-justice-and-child-protection-systems) representing children has shown us that they need support through a health and welfare-based system that provides them with early-intervention opportunities.

Our [Client-first strategy](https://www.legalaid.vic.gov.au/client-first-strategy) aims to improve peoples' experiences of finding and receiving legal help.Clients have told us they find the legal system confusing and were uncertain about court processes. The [results of an interim evaluation](https://www.legalaid.vic.gov.au/supporting-family-violence-clients-diverse-needs-and-experiences) of our Specialist Family Violence Court (SFVC) Legal Practice Model found that we are supporting victims of family violence with diverse needs and experiences. We designed the model to ensure that clients at the five SFVC locations received high-quality, client centred and easily accessible legal services. The feedback indicates that our clients have found it easier to find information and advice than they otherwise would have. The evaluation also highlights our continued promotion and support of Aboriginal Community Engagement Officer roles that are helping to improve the access to legal assistance service for First Nations peoples.

In March, in collaboration with Community Legal Centres and Aboriginal legal services, we launched the new [Victims Legal Service](https://www.legalaid.vic.gov.au/victims-legal-service) phoneline to provide specialist advice and support to people who have suffered injury and loss as the result of a crime. The service is available to all victims of crime who need legal information or advice on how to make an application for financial assistance with the Victims of Crime Assistance Tribunal.

## We’re committed to actively combatting racial discrimination in all its forms, whether it’s experienced by our clients or our own staff. We’re striving to shape a culture at Victoria Legal Aid where each of us proactively plays a role in ending racism and promoting diversity. Our staff recently came together at our Dandenong office on Bunurong Country, and online, for a chance to reflect on our shared responsibility to combat racism for the International Day for the Elimination of Racial Discrimination. The session was a valuable conversation on the critical nature of self-reflection and self-interrogation and the actions that we can all take to make a difference. While we’re making progress, there’s always more to be done.

## Client Services

**Table 1.1 Unique client count**

|  |  |  |  |
| --- | --- | --- | --- |
| **Clients** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Unique clients[[1]](#footnote-2) | 21,195 | 17,787 | 22,000 |

There was an 18.5 per cent decrease in the number of unique clients for quarter three 2022–23. Lower quarter three results are an annual trend resulting from the way that we count unique clients. We count unique clients the first time that we see them in a financial year and clients with ongoing cases are only counted once despite how many times we may see that client. There has been a 15 per cent increase in unique clients compared to quarter three 2021–22 (15,197).

Table 1.2 Legal Help phoneline and web chat

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Legal Help**  | **Service Delivery type** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Requests for Legal Help assistance | Phoneline | 34,681 | 41,068 | 36,000 |
| Web chat | 9,246 | 10,516 | 10,000 |
| Number of Legal Help sessions delivered | Phoneline | 22,794 | 28,879 | 22,000 |
| Web chat | 9,165 | 10,405 | 10,000 |
| Average wait time (minutes) | Phoneline and web chat (consolidated) | 9:12 | 8:24 | 9:30 |

There was an increase in both demand and delivery of services from our Legal Help phonelines and web chat in quarter three 2022–23 compared to quarter two. We delivered 27 per cent more phoneline sessions and 13.5 per cent more web chats. Legal Help’s new technology platform, Genesys, is helping our phoneline and web chat be more efficient. This helps staff be more available to answer calls and web chats. There has also been an improvement in our recruitment to Legal Help. These factors have also contributed to the lower average wait time of 8 minutes and 24 seconds. Quarter three results performed better than our projections from the beginning of the 2022–2023 year. Quarter four projections are still based on the budgeted forecast from the beginning of the year.

Table 1.3 Early intervention and preventative services

|  |  |  |  |
| --- | --- | --- | --- |
| **Early Intervention and Preventative services** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Information sessions | 25,504 | 31,104 | 25,000 |
| Legal Advice sessions | 7,960 | 8,524 | 8,000 |
| Community Legal Education sessions | 54 | 33 | 30 |
| Website sessions | 576,220 | 641,696 | 600,000 |

The increased Legal Help activity has helped drive the increase in information and advice sessions delivered in quarter three. Information services increased by 22 per and there was a 7 per cent increase in the number of advice sessions delivered compared to quarter two 2022–23.

There were 39 per cent fewer community legal education (CLE) sessions delivered in quarter three. A significant number of CLE sessions are held at educational institutions. Quarter three spans the school summer holidays where it is not possible for us to hold sessions at educational services during this time. Significant planning will be occurring in quarter four to increase CLE sessions in rural and regional areas. During this time the CLE staff will not be able to hold as many CLE sessions as were seen in quarter two.

Visits to our website increased by 11 per cent in quarter three and remained stable when compared to the same time in 2021–22. . This may indicate that website sessions are returning to the number of views seen before our website was relaunched as clients and the community are more familiar with the new layout and our webpages appear higher up in web searches.

### Table 1.4 Specialist resolution and advocacy services

| **Specialist resolution and advocacy services** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| --- | --- | --- | --- |
| IMHA information and referral sessions | 6,837 | 6,336 | 6,000 |
| IMHA advocacy and self-advocacy | 3,778 | 4,749 | 3,500 |
| IFAS information and referral sessions  | 448 | 684 | 500 |
| IFAS advocacy and self-advocacy | 610 | 475 | 800 |

There was a seven per cent decrease in the number of Independent Mental Health Advocacy (IMHA) information and referral services delivered in quarter three. However, there was a 25.7 per cent increase in the number of advocacy and self-advocacy services delivered. We have seen an increasing amount of complexity in the issues that cients are bringing to us. Whilst it is difficult to demonstrate an increase in complexity, we know that more services are informing consumers of IMHA as they prepare for the new *Mental Health and Wellbeing Act (2022).*

There was a 53 per cent increase in the number of Independent Family Advocacy and Support information and referral sessions. IFAS is currently not a state-wide service and we have seen an increase in the number of enquiries coming from people outside the regions that IFAS covers. When someone is not eligible due to their location we provide information and referrals to other services. There was a 22 per cent decrease in the number of advocacy and self advocacy services. The school summer holidays have impacted the results for this quarter.

**Table 1.5 Court assistance services**

|  |  |  |  |
| --- | --- | --- | --- |
| **Court assistance Services** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Duty Lawyer Services | 22,560 | 20,915 | 24,000 |
| Grants of Legal Assistance | 10,150 | 10,734 | 10,000 |

Our duty lawyer services were seven per cent lower than the previous quarter. This is likely due to the slow down of court proceedings over the summer period and February being a short month, which means overall there are fewer hearings during quarter three. There was a slight increase of 5.8 per cent in the number of grants that were approved in quarter three. This increase likely reflects the increased number of duty lawyer services that were provided in quarter two. Our duty lawyers are a large entry point for clients to become aware of our services. Clients who come through our duty lawyer service are often eligible for a grant of assistance and are advised to apply.

We have identified some issues with how we collect our data that has also contributed to some under-reporting of services. We have engaged a consultant to assist in remediating this issue and will reflect any amendments in future reports.

## Financial Summary

Our year to date operating position at the end of quarter three 2022–23 was a deficit of $0.1 million. The increase in revenue from quarter two reflects the timing of project funding, including the realisation of Commonwealth funding for the transition of the Federal Circuit and Family Court of Australia, and increased interest revenue. The case expenditure level in quarter three was at a similar level in quarter two.

We predict that we will have an operating result of $8M deficit for 2022–23. However, VLA expenditure is highly dependent on court activities and the timing of funded projects’ commencement, which may reduce this deficit. The forecast deficit will be funded from VLA’s existing cash reserves, which arose from reduced court activity during the COVID-19 pandemic. This is part of the State Government’s approved approach to fund our operating deficits across both 2022–23 and 2023–24. VLA’s ongoing financial challenges remain, with additional funding required once these reserves are utilised. We will continue our work with government to secure sustainable long-term funding through our Legal Assistance Demand-based Funding Model.

### **Total revenue breakdown ($’000**)

|  |  |  |  |
| --- | --- | --- | --- |
| **Revenue** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Commonwealth – grants | 24,002 | 25,009 | 24,013 |
| ECCCF income | 630 | 630 | 420 |
| State – grants | 43,165 | 41,712 | 50,510 |
| Public Purpose Fund | 5,772 | 6,364 | 6,364 |
| Case revenue | 643 | 956 | 201 |
| Other income | 1,078 | 1,108 | 1,724 |
| **Total revenue** | **75,292** | **75,808** | **83,231** |

### Total expenditure breakdown ($,000)

|  |  |  |  |
| --- | --- | --- | --- |
| **Expenditure** | **Q2****2022-23** | **Q3****2022-23** | **Q4 2022-23****projection** |
| Case expenditure (including ECCCF) | (29,141) | (28,573) | (29,163) |
| Community legal centre payments | (14,593) | (14,430) | (19,484) |
| Staff costs | (26,941) | (26,549) | (27,967) |
| Administration | (5,808) | (5,649) | (9,021) |
| **Total expenditure** | **(76,483)** | **(75,197)** | **(85,635)** |
| Depreciation and Revaluation | (357) | (484) | (996) |
| **Total Expenditure** | **(76,840)** | **(75,681)** | **(86,631)** |

1. A unique client is an individual who has accessed one or more of our legal services and a client lawyer relationship was formed. [↑](#footnote-ref-2)